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C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000077

SIPDIS

STATE FOR EAP/BCLTV; PRM

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TAGS: PREF PREL PHUM KN BM

SUBJECT: BURMA: INPUT FOR REPORT TO CONGRESS ON NORTH KOREAN REFUGEES

REF: A. 04 SECSTATE 275820

B. 04 SECSTATE 275712

Classified By: DCM Ronald K. McMullen for Reasons 1.4 (b,d)

¶1. (U) NORTH KOREANS ACCESS TO INTERNATIONAL REFUGEE

PROTECTION IN BURMA: Burma is not a signatory to the 1951 UN Convention on Refugees and cannot be considered as hospitable for any individuals seeking refugee protection. To the contrary, the regime's egregious human rights practices, military operations directed at ethnic minority insurgents and populations, and economic mismanagement have created a decades-long outflow of Burmese persons seeking refuge in neighboring and other countries.

¶2. (SBU) Our discussions with relevant UN agencies in Rangoon, including the UNHCR and UNDP, have revealed that these institutions do not believe they would be in a position to provide refuge or substantial protection for North Korean asylum seekers. UNHCR, in particular, has a limited MOU with the GOB that only covers repatriation issues. UNHCR staff view the GOB in general as unsympathetic toward North Korean asylum seekers.

¶3. (C) UN agencies and several diplomatic missions in Rangoon have an informal understanding with the South Korean embassy to direct bona fide North Korean asylum seekers to the South Korean chancery for assistance. The South Koreans maintain several safe houses in Rangoon for this purpose and have successfully assisted numerous North Koreans with onward travel to South Korea. Note: The South Korean embassy treats this information as highly sensitive. End Note.

¶4. (U) CHALLENGES POSED WHEN NORTH KOREANS PRESENT

THEMSELVES: Post has no direct experience with North Korean asylum seekers or refugees. Standard procedures are in place to handle potential cases and post has recently reissued walk-in instructions to all relevant staff members and plans to undertake mock exercises in the near future. However, an influx of North Korean asylum seekers could pose a security challenge, given a myriad of separate facilities spread throughout Rangoon that comprise the U.S. mission (including the chancery; the official residence and other mission-owned housing units; an American Center (housed in the former North Korean embassy); a GSO facility; a medical unit; a residential compound and American Club; a former residential compound and the site of the future chancery; and a U.S. mission-sponsored international school).

¶5. (C) In 2004, a small number of North Koreans were known to have entered Burma seeking opportunities for asylum, including the following:

--In June, a group of 11 North Koreans entered Burma from China at Muse, were caught by border officials, and forced back into China. The North Koreans sneaked back into Burma, were picked up by military intelligence authorities and eventually handed to South Korean embassy officials who assisted them with onward travel to South Korea.

--In October, a 35 year-old North Korean woman crossed into Burma from China and presented herself at the local office of a French NGO working with UNODC. NGO officials brought the women to the local UNODC field office; however, GOB border affairs officials learned about the case and took custody of her. UNODC officers, who were able to visit the North Korean woman but not provide protection, contacted the UN resident coordinator, the South Korean Embassy, ICRC, and UNIAP. South Korean embassy officials then met with GOB officials to gain access to her with hopes of winning her release into their custody and facilitating onward travel to South Korea. The case remains unresolved.

--In December, a group of six North Koreans allegedly entered Shan State, their travel reportedly facilitated by a private American citizen of Korean origin who planned to seek assistance on their behalf from the South Korean embassy. The group was apparently unsuccessful in Burma and reportedly left for Laos to seek other asylum opportunities.

¶6. (SBU) GOB ATTITUDE TOWARDS THE ESTABLISHMENT OF A U.S. REFUGEE RESETTLEMENT PROGRAM, OR USG-FUNDED HUMANITARIAN ASSISTANCE, FOR NORTH KOREANS: The United States has in

place comprehensive sanctions that target the Burmese regime (SPDC) for its severe human rights violations and its failure to facilitate political reconciliation with the democratic opposition. The GOB in turn maintains a highly antagonistic posture toward the United States. Consequently, we do not believe the GOB would under any circumstances support the establishment of a U.S. refugee resettlement program, or facilitate USG-funded humanitarian assistance, for North Koreans in Burma. Ironically, Burma severed diplomatic relations with the DPRK in 1983, following a bombing in Rangoon, perpetuated by North Korean agents, that killed four visiting members of the South Korean cabinet. However, North Korea is a source of arms and other military supplies for the SPDC.

Martinez